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## County of San Diego

### DEPARTMENT OF PLANNING AND LAND USE

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### MITIGATED NEGATIVE DECLARATION

March 20, 2008

Project Name: Donahue Drive Major Subdivision (7 lots)

Project Number(s): TM 5518RPL<sup>1</sup>, Log No. 06-14-046

**This Document is Considered Draft Until it is Adopted by the Appropriate  
County of San Diego Decision-Making Body.**

This Mitigated Negative Declaration is comprised of this form along with the Environmental Initial Study that includes the following:

- a. Initial Study Form
  - b. Environmental Analysis Form and attached extended studies for biology, drainage, noise, stormwater, and cultural resources.
1. California Environmental Quality Act Mitigated Negative Declaration Findings:

Find, that this Mitigated Negative Declaration reflects the decision-making body's independent judgment and analysis, and; that the decision-making body has reviewed and considered the information contained in this Mitigated Negative Declaration and the comments received during the public review period; and that revisions in the project plans or proposals made by or agreed to by the project applicant would avoid the effects or mitigate the effects to a point where clearly no significant effects would occur; and, on the basis of the whole record before the decision-making body (including this Mitigated Negative Declaration) that there is no substantial evidence that the project as revised will have a significant effect on the environment.
  2. Required Mitigation Measures:

Refer to the attached Environmental Initial Study for the rationale for requiring the following measures:

A. TRANSPORTATION

1. The payment of the Transportation Impact Fee, which will be required at issuance of building permits, in combination with other components of this program, will mitigate potential cumulative traffic impacts to less than significant.

B. NOISE

1. On the Final Map the applicant shall grant to the County of San Diego a Noise Protection Easement over a strip of land 165 feet from the centerline of Hillsdale Road on a portion of Lot 3 and the entire area of Lots 4, 5, 6 and 7 of Tentative Map TM 5518. This easement is for the mitigation of present and anticipated future excess noise levels on noise sensitive areas of residential uses. The easement shall require: **[DPLU, FEE x2]**

Prior to the issuance of any building permit for any residential use within the noise protection easement, the applicant shall:

- a. Complete to the satisfaction of the Director of the Department of Planning and Land Use, an acoustical analysis performed by a County approved acoustical engineer, demonstrating that the present and anticipated future noise levels for the interior and exterior of the residential dwelling will not exceed the allowable sound level limit of the Noise Element of the San Diego County General Plan [exterior (60 dB CNEL), interior (45 dBA CNEL)]. Future traffic noise level estimates, must utilize a Level of Service "C" traffic flow on Hillsdale Road for a Collector Road with improvement options classification which is the designated General Plan Circulation Element buildout roadway classification.
  - b. Incorporate to the satisfaction of the Director of the Department of Planning and Land Use all of the recommendations or mitigation measures of the acoustical analysis into the project design and building plans.
2. Prior to approval of the grading and or improvement plans, the following specific item shall be placed on the grading and/or improvement plans:

Provide evidence to the satisfaction of the Director of Public Works, that a 2-foot and 2½-foot high sound barrier has been shown on the grading and or improvement plans:

- a. The noise barrier will be 2 to 2½ feet high with a minimum surface density of 3.5 pounds per square foot, consisting of masonry, wood, berm, plastic, fiberglass, steel or a combination of these materials with no cracks or gaps through or below the wall.
- b. The wall will start at the northwestern corner of Lot 4, a combination of a 2-foot high sound barrier along the northern property line of Lots 4 and 5, and a 2.5-foot high sound barrier along the top of the grading cut along the northern and eastern edges of Lot 6.
- c. The sound wall details and location are shown in Section 5.2 and Figure 8 within the Noise Study prepared by Eilar Associates received on August 31, 2007. Noise Study is on file with the Department of Planning and Land use as Case Number Tentative Map TM 5518.

3. Prior to approval of the grading and or improvement plans, the following specific note(s) shall be placed on the grading and/or improvement plans: **[DPLU, FEE]**

Prior to rough grading sign off, provide evidence to the satisfaction of the Director of Planning and Land Use; that a 2 to 2½-foot high sound barrier has been constructed along the northern property lines of Lots 4, 5 and 6, with a return along the eastern perimeter of Lot 6, all pursuant to the approved grading plan. Evidence of the wall shall consist of the following:

- a. A signed, stamped statement from a California Registered Engineer, licensed surveyor or County approved noise consultant, and photographic evidence that the sound barrier has been constructed.

3. Critical Project Design Elements and Requirements That Must Become Conditions of Approval:

The following project design elements and requirements were either proposed in the project application or the result of compliance with specific laws and regulations and were essential in reaching the conclusions within the attached Environmental Initial Study. While the following are not technically mitigation measures, their implementation must be assured to avoid potentially significant environmental effects.

PLANS AND SPECIFICATIONS

(Street Improvements and Access)

1. Standard Conditions 1 through 10 and 12.
2. Specific Conditions:
  - a. Prior to approval of the Final Map, improve or agree to improve and provide security for the project side of Hillsdale Road (SA 910.1) along the entire project frontages in accordance with Public Road Standards for a Collector Road plus bike lanes to a graded width of forty-eight feet (48') from centerline and to an improved width of thirty-two feet (32') from centerline with asphalt concrete pavement over approved base with Portland concrete cement concrete curb and gutter and sidewalk, with the curb a minimum of thirty-two feet (32') from centerline and nine and a half foot (9.5') decomposed granite pathway adjacent to sidewalk. Provide transitions, tapers, traffic striping and A.C. dike (easterly) to the existing pavement. All of the foregoing shall be to the satisfaction of the Director of Public Works.

NOTES:

- 1) There is a parking restriction on the south side of Hillsdale Road; the foregoing requirements reflect a reduction in the improvement width by five feet (5') with ten-foot (10') decomposed granite pedestrian trail adjacent to curb to the satisfaction of the Director of Public Works.
- 2) Pathway shall have a clear unobstructed ten feet (10') of tread width. The double rail lodgepole fencing is not permitted within the pathway and/ or trail easement. If

unavoidable, then an additional five feet (5') of width shall be provided to maintain the ten feet clear pathway width. All of the foregoing shall be to the satisfaction of the Director of Parks and Recreations and Director of Public Works.

- 3) Aboveground utilities, landscape, signs, irrigation systems shall not be placed within pathways. A clear unobstructed ten feet (10') of tread width shall be maintained to the satisfaction of the Director of Parks and Recreations and Director of Public Works.
- b. Prior to the approval of the Final Map, improve or agree to improve and provide security for the to-be-named on-site public cul-de-sac road in accordance with Public Road Standards for a Residential Cul-de-sac Road, to a graded width of fifty-two feet (52') with thirty-two feet (32') of asphalt pavement over approved base with Portland cement concrete curb, gutter, and sidewalks with the curbs at sixteen feet (16') from centerline. All of the foregoing shall be to the satisfaction of the Director of Public Works.
  - c. Prior to approval of the Final Map, improve or agree to improve and provide security for Donahue Drive in accordance with Public Road Standards for a Residential Collector Road Standards (on both sides of the centerline) along the project frontages to a one-half graded width of thirty feet (30') with twenty feet (20') of asphalt concrete pavement over approved base with Portland concrete cement concrete curb and gutter and sidewalk with the curb a minimum of twenty feet (20') from centerline. Provide transitions, tapers, traffic striping and A.C. dike to the existing pavement. All of the foregoing shall be to the satisfaction of the Director of Public Works.
  - d. The cul-de-sac shall terminate with a graded radius of forty-eight feet (48') and surfaced to a radius of thirty-eight feet (38') with asphalt concrete pavement over approved base with Portland cement concrete curb, gutter and sidewalks with the curb thirty-eight feet (38') from the radius point. All of the foregoing shall be to the satisfaction of the Director of Public Works.
  - e. A registered civil engineer, a registered traffic engineer, or a licensed land surveyor shall provide a certified signed statement that physically, there is a minimum unobstructed sight distance in both directions along Donahue Drive from the proposed driveway

on Lot 7, for the prevailing operating speed of traffic on Donahue Drive. If the lines of sight fall within the existing public road right-of-way, the engineer or surveyor shall further certify that said lines of sight fall within the existing right-of-way and a clear space easement is not required. The engineer or surveyor shall further certify that the sight distance of adjacent driveways and street openings will not be adversely affected by this project. These certifications shall be approved to the satisfaction of the Director of Public Works.

NOTE: A sight distance be based on AASHTO standards for minimum sight stopping distance in lieu of intersectional sight distance at the driveway looking southerly along Donahue Road from the proposed driveway on Lot 7, is supported by DPW per modification request, dated January 7, 2008.

- f. Where height of fill bank for a 2:1 slope is greater than twelve feet (12'); or where height of fill bank for a 1.5:1 slope is greater than ten feet (10'), a guardrail shall be installed per CALTRANS standards to the satisfaction of the Director of Public Works.

(Drainage and Flood Control)

- 3. Standard Conditions 13 through 18.
  - a. Provide on-site and any necessary off-site drainage easements to the satisfaction of the Director of Public Works.

(Grading Plans)

- 4. Standard Conditions 19(a-d).
- 5. Specific Conditions:
  - a. Comply with all applicable stormwater regulations at all times. The activities proposed under this application are subject to enforcement under permits from the San Diego Regional Water Quality Control Board (RWQCB) and the County of San Diego Watershed Protection, Stormwater Management, and Discharge Control Ordinance (Ordinance No. 9424 and Ordinance No. 9426) and all other applicable ordinances and standards. This includes requirements for materials and wastes control, erosion control, and sediment control on the project site. Projects that involve areas 1

acre or greater require that the property owner keep additional and updated information on-site concerning stormwater runoff. This requirement shall be to the satisfaction of the Director of Public Works.

- b. If it is determined that the project includes Category 3 post-construction BMPs, the applicant will be required to do the following, all to the satisfaction of the Director of Public Works:
  - (1) Submit a complete "Engineer's Report for BMP Maintenance".
  - (2) Dedicate all Category 3 treatment control BMPs to the County of San Diego Flood Control District in accordance with the County Watershed Protection, Stormwater Management, and Discharge Control Ordinance.
  - (3) Form a "Stormwater Maintenance Zone" under the County Flood Control District, including taking all actions and submitting all required forms.
  - (4) Deposit \$4,000, and pay all costs associated with reviewing the Engineer's Report and formation of the "Stormwater Maintenance Zone".
  - (5) Pay an amount equal to twenty-four (24) months of maintenance for the entire project as estimated in the approved Engineer's Report.
- c. All of the work described above pertaining to erosion control, irrigation system, slope protection, drainage systems, desilting basins, energy dissipators, and silt control shall be secured by an Instrument of Credit in a form satisfactory to County Counsel for an amount equal to the cost of this work as determined or approved by the County Department of Public Works. An agreement in a form satisfactory to County Counsel shall accompany the Instrument of Credit to authorize the County Department of Public Works to unilaterally withdraw any part of or all the Instrument of Credit to accomplish any of the work agreed to if it is not accomplished to the satisfaction of the County Department of Public Works by the date agreed. The cash deposit collected for grading, per the grading ordinance, will be used for emergency erosion measures. If said deposit collected for grading is less than \$5,000.00, the developer

will supplement the deposit to equal \$5,000.00. The developer shall submit a letter to the County Department of Public Works authorizing the use of this deposit for emergency measures.

## SANITATION

### 6. Specific Conditions:

- a. Prior to approval of the Final Map, the applicant shall present evidence to the Department of Public Works from the Sweetwater Authority stating that Sweetwater Authority Resolution 84-8 (attached) has been satisfied with respect to the protection of Sweetwater Reservoir from urban related runoff resulting from this development. Compliance is in the form of a County imposed fee paid to the Sweetwater Authority. The Planning Commission hereby determines that:
  - (1) The purpose of the fee is to assist in financing the design and construction of first flush urban runoff facilities to protect the water in the Sweetwater Reservoir as specified in the Sweetwater Authority's Resolution 84-8, Resolution of the Governing Board of Sweetwater Authority Establishing It's Policy Regarding Urban Run-Off Protection For The Sweetwater Reservoir, and the Luke-Dudek Design Study dated September 1, 1982, located in the office of the Sweetwater Authority.
  - (2) This development will cause additional urban runoff within the Sweetwater Reservoir watershed, which ultimately will flow into the Sweetwater Reservoir, adding to potential health problems. Incremental degradation of the water in the Sweetwater Reservoir resulting from urban runoff caused by this project needs to be mitigated by constructing specific flow capture and diversion structures to prevent contamination of the Sweetwater Reservoir.
  - (3) The fees paid to the Sweetwater Authority to protect the water in the Sweetwater Reservoir are based on estimated cost of the first flush bypass facilities planned for the drainage area and on this project's total percentage impact on the Sweetwater Reservoir.

## FINAL MAP RECORDATION

Final Map requirements shall be shown on the Final Map or otherwise accomplished to the satisfaction of the Director of Public Works prior to submittal for approval by the Board of Supervisors:

(Streets and Dedication)

7. Specific Conditions:

- a. With the approval of the Final Map, dedicate the to-be-named on-site public cul-de-sac road to a right-of-way width of fifty-two foot (52') for a Public Residential Cul-de-Sac Road plus the right to construct and maintain slopes and drainage facilities, including a twenty-foot (20') radius property line corner rounding at the street intersection to the satisfaction of the Director of Public Works.
- b. The cul-de-sac shall terminate with a forty-eight foot radius.
- c. Prior to approval of improvement and/or grading plans, issuance of excavation permits, and issuance of any further grant of approval, the owners of this project will be required to sign a statement that they are aware of the County of San Diego, Department of Public Works, Pavement Cut Policy and that they have contacted all adjacent property owners and solicited their participation in the extension of utilities.
- d. Provide on-site and any necessary off-site drainage easements to the satisfaction of the Director of Public Works.
- e. Relinquish all access rights into Hillsdale Road.
- f. Contact the Department of Public Works to determine the desired location of the centerline for Hillsdale Road (SC 2030) which is shown on the Circulation Element of the County General Plan as a Collector Road plus bike lanes. The following shall be shown on the Final Map.
  - (1) The centerline location as approved by the Department of Public Works.

- g. The Basis of Bearings for the Subdivision Map shall be in terms of the California Coordinate System Zone 6 NORTH AMERICAN DATUM OF 1983 by use of existing Horizontal Control stations with first order to the satisfaction of the Director of Public Works (Ref. San Diego County Subdivision Ordinance Section 81.811).
- h. The Basis of Bearings for the Subdivision Map shall be in terms of the California Coordinate System Zone 6 NORTH AMERICAN DATUM OF 1983 by use of existing Horizontal Control stations with first order to the satisfaction of the Director of Public Works (Ref. San Diego County Subdivision Ordinance Section 81.811).
- i. The Subdivision Map shall be prepared to show two measured ties from the boundary of the subject property to existing Horizontal Control station(s) having California coordinate values of First order accuracy, as published in the County of San Diego's Horizontal Control book. These tie lines to the existing control shall be shown in relation to the California Coordinate System (i.e. Grid bearings and Grid distances). All other distances shown on the map are to be shown as ground distances. A combined factor for conversion of Ground-to-Grid distances shall be shown on the map, all to the satisfaction of the Director of Public Works (Ref. San Diego County Subdivision Ordinance Sections 81.811 and 81.506(j)).

(Miscellaneous)

- 8. Standard Conditions 25, 26, 27, and 28.
- 9. Specific Conditions:
  - a. No lot shall contain a net area of less than 0.5 acres. [DPLU - Regulatory Planning Division]
  - b. Prior to the approval of any plans, issuance of any permits, and approval of any final map(s), provide evidence to the satisfaction of the Director of Public Works (DPW) that the following "Specific Environmental Items" have been indicated on the grading, and or improvement plans:

(Biological)

- (1) "Restrict all brushing, clearing and/or grading such that none will be allowed within 300 feet of disturbed land during the

breeding season of migratory birds and raptors. This is defined as occurring between February 1 and August 31. The Director of Planning and Land Use may waive this condition, through written concurrence from the US Fish and Wildlife Service and the California Department of Fish and Game, that no nesting migratory birds or raptors are present in the vicinity of the brushing, clearing or grading." **[DPLU, FEE]**

#### WAIVER AND EXCEPTIONS

These recommendations are pursuant to the provisions of the State Subdivision Map Act, the County Subdivision Ordinance, the County Public Road and Private Road Standards, and all other required ordinances of San Diego County except for a waiver or modification of the following:

a. Standard Conditions for Tentative Maps:

- (1) Standard Condition 11: Said condition pertains to condominium units or a planned development. This subdivision is neither a condominium nor a planned development.
- (2) Standard Condition 27.1: Said condition states that the Final Map may be filed as units or groups of units. The Final Map for this project is required to include the entire area shown on the Tentative Map and shall not be filed as units or groups of units.

b. County Public Road Standards:

Section 6.1, C.1. and Section 6.7, I.5.: Said standards require 200 feet of spacing between driveways along a county maintained road. This waiver permits a reduction in the spacing. Donahue Drive is a Non-Circulation Element county maintained road. There are numerous driveways along Donahue Drive that have less than 200 feet of spacing between them.

March 20, 2008

**ADOPTION STATEMENT:** This Mitigated Negative Declaration was adopted and above California Environmental Quality Act findings made by the:

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on \_\_\_\_\_

JASON GIFFEN, Chief  
Regulatory Planning Division

JG:CP:jcr

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